

REMARKS/ARGUMENTS

Responsive to the Official Action mailed May 23, 2008, applicant has amended the claims of his invention in order to place this case in condition for allowance. Specifically, independent claim 1 has been amended. Reconsideration is respectfully requested.

In the Action, the Examiner rejected the pending claims under 35 U.S.C. §102, with reliance upon U.S. Patents No. 3,741,898, to Mallow et al., U.S. Patent No. 4,260,696, to Blount, and U.S. Patent No. 6,497,945, to Niedner et al. However, as set forth in the amended claims, the present invention is neither taught nor suggested by these references, and accordingly, the Examiner's rejections are respectfully traversed.

It is respectfully noted that the Mallow et al. reference relates to a process for making alkalimetal silicate, including forming a mixture of a surface tension depressant and an aqueous solution of sodium silicate, wherein the mixture is subjected to mixing with gas at above atmospheric pressure. This document does not teach the technical parameters as set forth in amended claim 1.

In fact, a first container 54 serves as an aqueous silicate reservoir, and is connected by a tubular conduit 56 to the interior of the housing 38, wherein a positive displacement proportioning pump 58 forces material from the first container 54 through conduit 56 into the interior of housing 38. No details about the pressure have been mentioned or disclosed therein.

It is respectfully noted that the Niedner et al. reference does not disclose a method of preparing a silicate based foam, wherein silicate is applied to a mixture under pressure, to which mixture a carried gas is also supplied under pressure, as specified in amended claim 1.

In addition, this reference does not provide any specific details regarding the pressure of the silicate. Moreover, no details can be found regarding the pressure of the carrier gas, because this document *does not teach the use of a carrier gas at all*.

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Reply to Office Action of May 23, 2008

The Blount reference does not relate to a method of preparing a silica based foam, wherein silicate is supplied to a mixture under pressure, to which mixture a carrier gas is also supplied under pressure. Clearly, this reference fails to teach or suggest the specific conditions relating to the pressure parameters, as set forth in amended claim 1. Moreover, this document does not relate to a silicate foam as such, but relates to an isocyanate terminated polyurethane silicate pre-polymer, which polymer is fundamentally different from the silicate foam according to the present invention. To emphasize this distinction, the pending claims have been revised to specify formation of a *silicate-foam*. The only foaming components of the present foam is a liquid silicate, wherein no other polymers whatsoever are present.

In view of the foregoing, formal allowance of claims 1-6, 9, 10, and 16-20 is believed to be in order and is respectfully solicited. Should the Examiner wish to speak with applicant's attorneys, they may be reached at the number indicated below.

The Commissioner is hereby authorized to charge any additional fees which may be required in connection with this submission to Deposit Account No. 23-0785.

Respectfully submitted,

By 
Stephen D. Geimer, Reg. No. 28,846

WOOD, PHILLIPS, KATZ, CLARK & MORTIMER
500 West Madison Street, Suite 3800
Chicago, Illinois 60661
312/876-1800

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I hereby certify that this paper is being deposited with the United States Postal Service with sufficient postage at First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on **November 24, 2008**.

